

**275.045 Requirements for documents to be entitled to filing by Secretary of State.**

- (1) A document shall satisfy the requirements of this section, and of any other section of this chapter that adds to or varies these requirements, to be entitled to filing by the Secretary of State.
- (2) This chapter shall require or permit filing the document in the Office of the Secretary of State.
- (3) The document shall contain the information required by this chapter. It may also contain other information.
- (4) The document shall be typewritten or printed. The typewritten or printed portion shall be in black. Manually-signed photocopies, or other reproduced copies, of typewritten or printed documents may be filed.
- (5) The document shall be in the English language. A limited liability company name may be in a language other than English if written in English letters or Arabic or Roman numerals. Any document that may be filed by a foreign limited liability company which is duly authenticated by the official having custody of the applicable records in the state, country, or other jurisdiction under whose law the limited liability company is formed may be in a language other than English if accompanied by a reasonably-authenticated English translation.
- (6) Unless otherwise provided in any other section of this chapter, any document required by this chapter to be filed with the Secretary of State shall be executed:
  - (a) If management of the limited liability company is vested in one (1) or more managers, by any one (1) of the managers;
  - (b) If management of the limited liability company is reserved to the members, by any one (1) of the members;
  - (c) If the limited liability company has not been formed, by the persons forming a limited liability company; or
  - (d) If the limited liability company is in the hands of a receiver, trustee, or other court-appointed fiduciary, by that fiduciary.
- (7) The persons executing the document shall sign it and state beneath or opposite their signatures the names of the persons and the capacity in which each signs.
- (8) The person executing the document may do so as an attorney-in-fact. Powers of attorney relating to the execution of the document shall not be required to be provided to or filed with the Secretary of State.
- (9) If the Secretary of State has prescribed a mandatory form for a document, the document shall be in or on the prescribed form.
- (10) The document shall be delivered to the Secretary of State for filing and shall be accompanied by two (2) exact or conformed copies, the correct filing fee, and any other fee or penalty required by this chapter or other law to be collected by the Office of Secretary of State.
- (11) One (1) of the exact or conformed copies shall be filed with and recorded by the county clerk of the county in which the registered office of the limited liability company is situated.

**Effective:** July 15, 1994

**History:** Created 1994 Ky. Acts ch. 389, sec. 9, effective July 15, 1994.